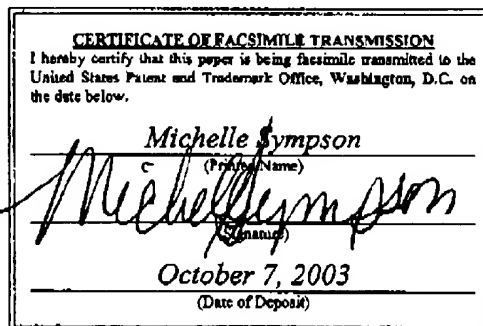


Atty. Dkt. No. 041673-2007

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Bier and Yu  
Title: PEPTIDE INHIBITOR OF TGF-B  
GROWTH FACTORS  
Appl. No.: 09/215,569  
Filing Date: 12/16/1998  
Examiner: D. Romeo  
Art Unit: 1647

DECLARATION OF STACY L. TAYLOR

Mail Stop AF  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

I, Stacy L. Taylor, declare:

1. I am a partner in the law firm of Foley & Lardner, attorneys of record for Applicants herein.
2. The Sequence Listing submitted in this US Patent Application Serial No. 09/215,569 includes the following subject matter from Francois, et al., Genes & Dev., 8:2602-2616 (1994), which is referenced in the patent specification at page 5, line 6 thereof:
  - a. The nucleotide sequence coding for wild-type Drosophila Sog protein (SEQ. ID. No. 8), also reflected in the Francois, et al. deposit made with GENBANK at Accession No. U18774.

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b. The portion of said nucleotide sequence which codes for amino acids 1-292 from the CR-1 region of the Sog protein (SEQ. ID. No. 1), also reflected in the Francois, et al. deposit made with GENBANK at Accession No. U18774.

c. Amino acids 1-292 from the CR-1 region of the Sog protein (SEQ. ID. No. 2), also reflected in the Francois, et al. deposit made with GENBANK at Accession No. U18774.

d. Said amino acids 1-292 from the CR-1 region of the Sog protein, including the W to A mutation at residue 105 described in the specification at, for example, page 3, line 1 thereof (SEQ. ID. No. 6).

e. Said amino acids 1-292 from the CR-1 region of the Sog protein, including additional 5' amino acids from the CR-2 region of the Sog protein through residue 346 (SEQ. ID. No. 7), also reflected in the Francois, et al. deposit made with GENBANK at Accession No. U18774.


f. Said amino acids 1-292 from the CR-1 region of the Sog protein, including, in the 5' position, an additional 33 amino acids from the well known pUAS vector (SEQ. ID. No. 3).

3. In addition, the amino acid sequence of the inhibition target for Sog, the Dpp protein, is reflected in SEQ. ID. No. 5. The sequence is well-known in the art (see, e.g., the references cited at page 1, lines 23-29 of the specification), and was clearly reflected in the specification as originally filed in the drawings at Figure 5, now deleted.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements are so made punishable by fine or imprisonment, or both, under Section 101 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Executed this 7<sup>th</sup> day of October, 2003, at San Diego, California.

  
Stacy L. Taylor